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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/077,146	02/15/2002	Feng-Wei Chen	RSW920010155US1	1291

7590

12/20/2002

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EXAMINER

PIPALA, EDWARD J

ART UNIT

PAPER NUMBER

3661

DATE MAILED: 12/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
10/077,146

Applicant(s)
Chen et al.

Examiner
Edward Pipala

Art Unit
3661



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Feb 15, 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☒ Claim(s) 12 and 14 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Feb 15, 2002 is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 2 6) ☐ Other:

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DETAILED ACTION

This Office Action is in response to the application filed on February 15, 2002 by Chen et al., for the invention titled "Programmatically Calculating Paths from a Spatially-Enabled Database".

Claims 1-14 are pending.

Information Disclosure Statement

Applicant's IDS has been fully considered by the Examiner, and a copy of Applicant's initialed form PTO-1449 is attached.

Specification

The disclosure is objected to because of the following informalities.

Applicant is requested to amend the section dealing with related applications to include the serial numbers of the applications involved.

The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code in the last line of page 6. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

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Claim Objections

Claims 12 and 14 are objected to because of the following informalities:

claim 12, was apparently meant to depend from claim 11 and not from itself;

claim 14 should properly begin with "The computer program product" instead of "The system" .

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nobe et al. (5,657,231), in view of Watanabe et al. (6,269,303).

Nobe et al. disclose a route setting method in a navigation system for obtaining a shortest route from a starting position to a destination position, includes the steps of: selecting, out of links each corresponding to a partial route connecting two route positions adjacent to each other on a route, candidacy links each connected to one of confirmed links which include a link corresponding to the partial route connected to the starting position and which have been

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confirmed; judging whether or not each of the candidacy links selected by the selecting step is able to pass therethrough according to link judgement information, which corresponds to a connection relationship between each of the candidacy links and the confirmed link connected to each of the candidacy links and which is set in advance; confirming one of the candidacy links judged to be able to pass therethrough by the judging step, which has the shortest integrated route distance from the starting position, as a new confirmed link; and repeating the selecting, judging and confirming steps with respect to the confirmed links including the new confirmed link confirmed by the confirming step.

Nobe et al., does not teach determining the shortest path from an origin point to a destination using a spatially enabled street database.

Watanabe et al. also teaches a navigation system which provides route guidance, wherein the database of Watanabe et al. is shown in figures 2A through 2E to also include the latitude and longitude information for each of the intersections in the database (and is therefore considered to be spatially enabled).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have made use of the spatially-enabled database of Watanabe et al., within the context of the shortest route searching system of Nobe et al, in order to more easily select potential intersections nearest to the shortest distance line connecting the origin and destination points.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward Pipala whose telephone number is (703) 305-9785. The examiner can normally be reached on Monday through Thursday from 7:30 to 6:00.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, Bill Cuchlinski, can be reached on (703) 308-3873. The fax phone number for this Group is (703) 305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1113.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231


or faxed to: (703) 305-7687, (for formal communications intended for entry)

Hand-delivered responses should be brought to 5 Crystal Park, 2451 Crystal Drive, Arlington.

VA., Seventh Floor (Receptionist).

Edward Pipala

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